

NEWS RELEASE



Monmouth County Prosecutor's Office
71 Monument Park
Freehold, New Jersey 07728
732/ 431-7160
Luis A. Valentin, Prosecutor

ROCHESTER, N.Y., MAN FOUND GUILTY OF MURDER, ATTEMPTED MURDER, IN CONNECTION WITH SHOOTING OUTSIDE OF NEPTUNE TOWNSHIP MOTEL

On January 8, 2010, a Monmouth County jury found David Bass, 59, of Rochester, N.Y., guilty of first degree Murder, first degree Attempted Murder, third degree Unlawful Possession of a Weapon, second degree Possession of a Weapon for an Unlawful Purpose and second degree Certain Persons Not to Have Weapons. The verdict followed a five week trial which was presided over by Monmouth County Superior Court Judge Richard W. English.

Evidence presented during the trial revealed that at approximately 4:00 a.m. on December 20, 2006, officers from the Neptune Township Police Department responded to the Crystal Inn following a "911" call in reference to shots being fired. Detectives from the Monmouth County Prosecutor's Office also responded to the scene a short time later. Upon arrival, the police observed a woman, later identified as Jessica Shabazz, 19, of Asbury Park, N.J., lying face down in a pool of blood in the parking lot of the Crystal Inn with an apparent bullet wound to her back.

Testimony at the trial established that, following a verbal argument in a motel room registered to Bass, Bass brandished and pointed a firearm at Ms. Shabazz. Ms. Shabazz then ran from the room, and Bass shot her in the back as she was in the motel parking lot still running away from him. Ms. Shabazz was pronounced dead at the scene at 4:16 a.m.

An autopsy performed by the Monmouth County Medical Examiner's Office determined that Ms. Shabazz died as a result of a single gunshot wound to the back.

A second individual, James Sinclair, 29, of Long Branch, N.J., was shot in the pinky finger of his right hand by Bass as Mr. Sinclair was running out of the sliding glass door of the same room with Ms. Shabazz. Ms. Shabazz and Mr. Sinclair were both unarmed. Mr. Sinclair was subsequently transported to the Jersey Shore University Medical Center where he underwent a surgical procedure which resulted in the partial amputation of the pinky finger of his right hand.

Bass was located by an Ocean Township police officer shortly after the shooting in the vicinity of a Coca Cola factory which is directly across the street from the Crystal Inn, A .44 caliber handgun which Bass used in the shooting and which Bass did not have a permit for was found in a grassy area adjacent to the Coca Cola factory.

Following the conclusion of the testimony, the jury was instructed to deliberate only as to the charges of Murder, Attempted Murder, Unlawful Possession of a Weapon, and Possession of a Weapon for an Unlawful Purpose. An essential element of the crime of Certain Person Not to Have Weapons, which prohibits previously-convicted defendants from possessing firearms, is that the defendant was previously convicted of a crime. The jury was therefore not advised of the existence of the charge of Certain Person Not to Have Weapons or Bass' prior convictions until after it returned a verdict on the first set of charges so that the jury could consider the first set of charges based solely upon the relevant evidence which was presented without the possibility of being prejudiced by the fact that Bass had previously been convicted of a crime. Only after returning a verdict on the first set of charges was the jury advised for the first time of the existence of the Certain Persons Not To Have Weapons charge, and Bass' prior criminal history.

For Murder, Bass faces a maximum potential custodial sentence of a life term of imprisonment and a minimum mandatory sentence of 30 years without eligibility for parole.. Bass faces a maximum potential custodial sentence of a 20 year State Prison term for Attempted Murder. Murder and Attempted Murder are subject to the "No Early Release Act," which means that Bass must serve 85% of the sentence imposed for those crimes before he becomes eligible for release on parole. Bass also faces a maximum potential custodial sentence of up to a 10 year State Prison term for Possession of a Weapon for an Unlawful Purpose and Certain Persons Not to Have Weapon. He also faces a maximum potential custodial sentence of up to a 5 year State Prison term for Unlawful Possession of a Weapon.

Following the verdict, the Monmouth County Prosecutor's Office asked Judge English to revoke Bass' bail, citing the substantial custodial sentences Bass faces as a result of the guilty verdict rendered by the jury on the charges of first degree Murder and first degree Attempted Murder. Judge English denied the request, but ordered that Bass' bail be increased from \$2,500,000 to \$5,000,000. Bass remains at the Monmouth County Correctional Institution in lieu of bail. Bass is scheduled to be sentenced by Judge English on February 26, 2010.

Monmouth County Prosecutor Luis A. Valentin stated, "Bass, a previously convicted felon, was apprehended by police after fleeing the scene of these senseless shootings. The jury's verdict ensures that this dangerous individual with no apparent regard for the law will be isolated from society for the rest of his natural life."

The case was prosecuted by Assistant Monmouth County Prosecutors Jennifer Lipp and Gregory Schweers. Bass was represented by Paul R. Edinger, Esquire, of West Long Branch, N.J.

Released: January 8, 2010